AMNESTY FOR SMITH ACT VICTIMS — KEY TO NAILING THE BIG LIE . . . See page 4

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WAR & PEACE

Washington suffers a diplomatic disaster —peace wins a round

By Tabitha Petran

SECY. of State Dulles walked out of the Geneva conference and came home after "what some day may be rated among the most disastrous weeks in the history of American diplomacy" (Washington Star, 5/2). When Britain refused even token support to his plan for massive air intervention to save Dienbienphu, and insisted on real efforts to settle the Indo-China war, the Western alliance was "strained as never before in history" (N.Y. **Post**, 4/30); Washington policy was "collapsing under its first serious test" (Howard Smith, **CBS**, 5/2).

In the conference's first week not one major Korean War ally rose to support Dulles' stand on a Korean settlement, backing Syngman Rhee's demand for a Korea unified under S. Korea with elections to be held only in the North. The allies' indifference to Communist "criti-

Herblock in Washington Post
"What's our firm, unswerving Asia policy this week?"

cisms of the U.S. and demands that Americans get out of Asia created a very poor impression " (N.Y. **Herald Tribune**, 5/2). U.S. delegates were "astonished by British Foreign Secy. Eden's silence"; the British were "just as miffed at the Americans" (**Christian Science Monitor**, 4/30). By the time Dulles "persuaded" some W. European delegates to talk (N.Y. **Times**, 5/2), their lukewarmness to the Rhee-Dulles plan was already obvious. (N. Korea's Nam Il proposed all-Korea elections under auspices of an all-Korean commission without foreign interference.)

CHINA & PVT. SCHINE: With Dulles refusing to acknowledge the existence of China's Chou En-lai, and Molotov refusing to meet the three Western foreign ministers without Chou, Eden and France's Bidault perforce met with Molotov individually; Dulles was thus "relegated to the sidelines from which he can merely offer advice" on the key issue (**CSM**, 4/29). The U.S. delegation was split, with Pentagon men demanding "outright military defeat of the Viet Minh rebels" while State Dept. men were undecided,

". . . confronted with tough political realities such as the growing weariness of France . . . the wobbliness of the French Government . . . the lack of [Vietnamese] enthusiasm . . . for the French regime . . . the gathering hostility of all Asian countries—Communist and anti-Communist—for the French-conducted war." (**NYHT**, 5/2).

A conference to end the Indo-China war was in the making. But the U.S. position was, said Walter Lippmann,

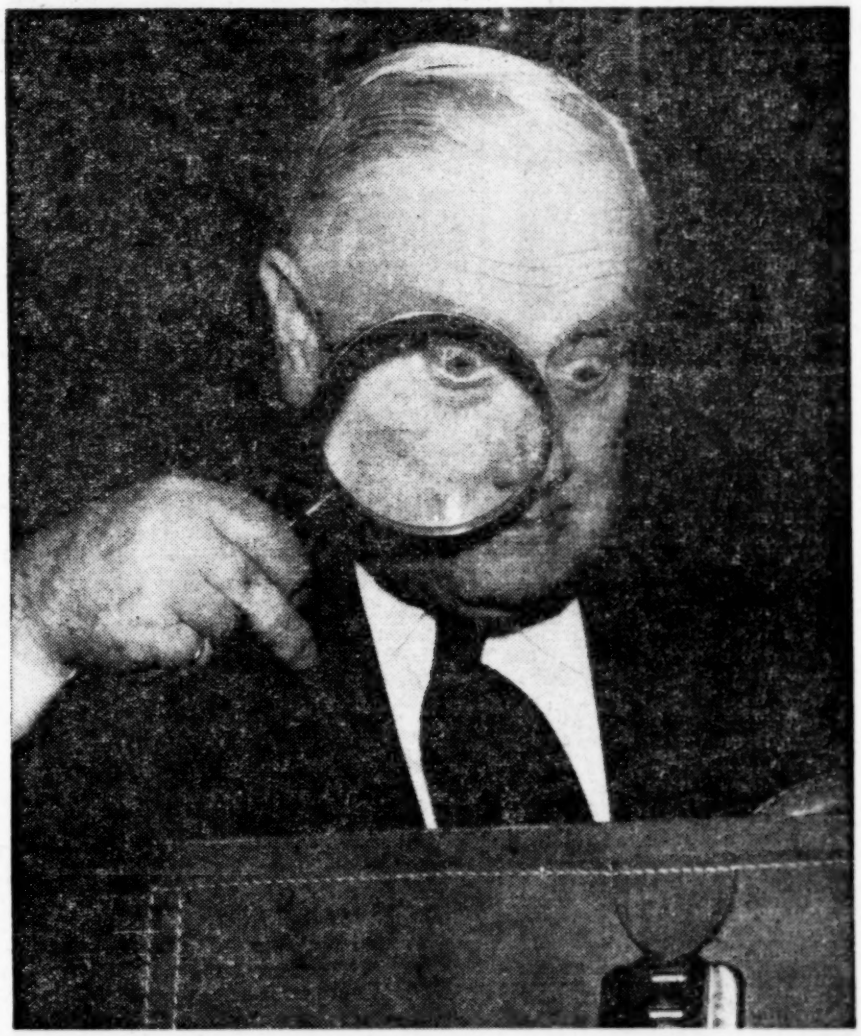
". . . an impossible one as long as the leading Republican Senators have no terms of peace except unconditional surrender of the enemy and no terms

(Continued on Page 6)

"We wish them peace and happiness"

"We should establish with Russia links which, in spite of all distractions, perils and contradictions, would convince the Russian people and the Soviet government that we wish them peace, happiness and ever-increasing prosperity and enrichment of life in their own mighty land, and that we long to see them play a proud and splendid part in the guidance of the human race."

—British Prime Minister Churchill at a Tory rally, April 30.



Have you an atom-bomb in your briefcase?

Sen. Alexander Wiley (R-Wis.), before whose Senate Foreign Relations Committee a defeated Secy. Dulles was hauled on Wednesday to explain his "policy of backing the wrong horse" (London New Statesman), is a busy prober and full of big ideas. Above, he is searching his own briefcase to see if it contains "small atomic bombs or other explosives." One of his plans which he will urge in the Senate is that if anyone drops anything on Washington, Congressmen be authorized to vote by long-distance phone. He is also preoccupied with telephones as chairman of a Senate Judiciary subcommittee handling wiretap legislation, before which Atty. Gen. Brownell protested last week against the provision that FBI snoopers must get a court order to tap wires. "Surely," said Wiley, "there are enough brains in the Executive and Legislative branches to work this thing out."

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HUMAN WRECKAGE IN THE WAKE OF McCARTHYISM

The reign of terror at Ft. Monmouth

By Lawrence Emery

OF the millions of Americans staring at the McCarthy show on TV, one small group in particular must view the proceedings with a sense of awed disbelief. These are the witnesses who were haled before McCarthy and his juvenile delinquents to be bullyragged during the Senator's Monmouth inquisition. Even though the Monmouth affair has been exposed as a total hoax, much is being made of it in the current hearings and some leading characters in the cast accept McCarthy's Monmouth claims as genuine. A lawyer representing a group of scientists still under suspension at Monmouth felt compelled to protest:

"There has been a reign of terror instigated in and about Fort Monmouth by this one-man subcommittee, the like of which one can hardly believe could happen in this country of ours. I plead with the present inquiry not to assume the propriety or the righteousness of the statements of this subcommittee until the light of day has been turned upon them."

THE KNOCK ON THE DOOR: Some light can be turned upon the McCarthy tactics by recounting a few incidents during the Monmouth hearings; (to spare the innocent victims further publicity, names are not used but are available for any legitimate purpose).

On Oct. 23, 1953, Mrs. B was served with a subpena at 6 p.m. ordering her to appear before McCarthy at 8 the same evening. She lives alone with a 5½-year-old child, obviously couldn't get a lawyer nor a baby-sitter on such short notice. But she was told she would go to jail for contempt if she didn't appear on time. She found a neighbor to look after the child and arrived at the hearing at 8:30, only to find there was no reason for haste. When she flatly refused to testify, she was excused until Nov. 4. On that day she was present as ordered at 10:30 a.m., but McCarthy didn't appear until 11. At 12:30 he announced a recess until 2 p.m. Mrs. B was on time but McCarthy did not return until 2:45. At 4:30 there was another recess until 7:30. Mrs. B was again on time, but McCarthy didn't turn up until 8, when

(Continued on Page 6)

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THE MAIL BAG

Langer's resolution

LOS ANGELES, CALIF.

With the warhawks screaming for a bigger war in Indo-China and itchy fingers clutching the H-bomb, there never was a better time to let Congress know we want none of these.

One good way is to congratulate Senator Langer (R-N.D.), on his Concurrent Resolution 7, reaffirming the sole right of Congress to declare war, in accordance with the U.S. Constitution.

Frank Kondray

The Madcap Trio

COVINA, CALIF.

Hooray for higher taxes
Three cheers for liberty.
We'll solve the unemployment
With a war across the sea.
In far away Dien Bien Phu
Defend the soil of France.
Dulles plays the fiddle
While Ike and Nixon dance.

William Norton

The bluff was called

LONDON, ENGLAND

In April, 1940, the German Embassy in Oslo invited the leading figures in Norwegian public life to a showing of a film of Germany's blitzkreig in Poland. The object was to show what would be coming to Norway if it opposed German invasion. The result: quickly and without very serious effort Germany occupied Norway, which became in effect a German colony under a "Norwegian government" headed by Major Vidkun Quisling.

The U.S. H-bomb tests carried out on the eve of the Geneva conference, with world-wide publicity given to a film of such a test, suggested to many that Dulles & Co. sought to achieve in Indo-China a similar result to Hitler's in Norway. The technique was the same; the results were disappointing. Hitler succeeded because he was in a position to carry out his threat. Dulles' would-be victims remained unterrified—not because they knew he would not dare carry out the threat, not so much because world opinion would condemn it, but because it would not achieve what he wanted the world to think it would achieve—and indeed might be disastrous for the U.S. The military situation in Indo-China would not be materially influenced by dropping H-bombs there. If they were dropped in China or the U.S.S.R. they would surely produce retaliation in kind against the U.S. In such an exchange, it is no secret that the U.S. would be at a disadvantage of at least 10-1 owning to its far greater vulnerability to A- or H-bomb attack.

Edgar P. Young
(Commdr. RN retd.)

How crazy can you get dept.

Americans continue to read and laud Russian novelists like Pushkin, Tolstoi, Dostevski, Korki (sic); to commend Russian composers like Tschaikowsky and even Comrade Shostakovich; to applaud the Russian ballet — and they apparently never tire of hearing the "Volga Boatman." Why shouldn't Russians praise something American — for example, our soft drinks which have become the rage elsewhere in Europe?

—Cincinnati Times-Star, reprinted in L. A. Daily News, April 26.

One-year free sub to sender of each item published under this heading. Winner: Frances P. Fritchman, Glendale, Calif.

It's not so magic

ROANOKE, VA.

Students, both high school and college, have been notoriously "shielded" from getting any light on political affairs. A good way to use old GUARDIANs: Mail them to such eager young beavers and help break Wall Street's magic ring of imposed monastic unapproachability.

H. J. K.

"Morale problem"

ENDICOTT, N.Y.

Endicott-Johnson Corp., one of the biggest shoe and leather industries of this country, is taking the example of General Electric Corp. to fire employes who refuse to answer questions before the Un-American Activities Committee. The shoe industry, in my opinion, is not in the "security" or "defense" category; so I don't believe the workers in the E. J. factories or tanneries are being fired for security reasons. What do you think?

An E. J. Worker

The writer enclosed a newspaper story reporting that Mary E. Wood, an Endicott-Johnson employe, had been fired for refusing to answer questions before the committee in Albany. She is appealing her discharge. The company's reason was that publicity in her case had created a "morale problem." Ed.

The poultry business

FARMINGDALE, N. J.

How I wish I could pledge that dollar a month but the poultry business is bad—disease, high cost of feed, low egg prices. The GUARDIAN is my only "luxury." I look forward to it every week. Love you all. God bless you! **Sylvia Fink**

What's good for Bonn . . .

BRONX, N.Y.

Has anyone noticed that, whereas Joe McCarthy screams bloody murder at the idea of Britain's trading with China, he hasn't uttered a peep at the news that Western Germany this past year multiplied its trade with China by 900%? Guess Joe figures the Vaterland can do no wrong. **L. Hartman**

Go on, we're listening

BERKELEY, CALIF.

All readers please note: April 25-May 1 was "Invest in America Week." Says the S. F. Chronicle: "Purpose of the week is to explain how capitalism works for the benefit of everyone." **Olive Boroughs**

Lancaster in Daily Express, London

"I must say it's a fine look-out when there's nothing between us and annihilation but a couple of clairvoyants on the Air Ministry roof!"

All sunshine

TAMPA, FLA.

Will you kindly discontinue our ad as our season has come to a close. We want to take this opportunity to thank you for your cooperation and to tell you what a pleasure it has been to deal with your readers. There has hardly been a letter that we received that did not mention that they saw the ad in the GUARDIAN and that did not at the same time praise your fine paper.

Thank you again and please accept our best wishes.

M. A. Tucker
Sunshine Dairy Citrus Farms

Dr. DuBois' appeal

INGLEWOOD, CALIF.

The article written by W. E. B. DuBois (GUARDIAN, Apr. 12, 1954) is the most moving plea for reason I have read during these troubled times. I am hoping that it will move some of my acquaintances. For this reason I am interested in obtaining 500 copies of the article.

Gertrude Mills

Brownell on TV

BLOOMFIELD, CONN.

I do not believe that the common people of these United States have sunk so low in courage and idealism that they actually have to look up to those slimy sneaks whom the Attorney General lauded as heroes on his recent TV appearance.

But we are certainly lacking in something when the head of our judicial system has the effrontery to openly brag of Hoover's slimy agents. Evidently our Attorney General never read our Declaration of Independence or our Bill of Rights. Or, if he ever did read them, he is either lacking the necessary intelligence to understand the simple English words therein, or is deliberately doing what he can to destroy our democracy.

No, the common people are not so lacking in decency and common sense—they are only lacking in the truth. Here is a small contribution to aid you in getting that truth to them. **Fred M. Mansur**

Got their number

ARGO, ILL.

In its fight for another increase in telephone rates, the Illinois Bell Telephone Co. has now shown concrete evidence of its need for the increase. In the first quarter of 1954, the company's net profit after taxes was just over $8,000,000. Anybody who does not sympathize with the company should bear in mind that he is free to start his own telephone company any time he does not like the way Illinois Bell operates.

Incidentally, I am speaking only to exercise my right of free speech as the telephone business is none of mine because I can't afford a telephone. It would be nice to have one—to start a phone-chain-call campaign with the slogan, "NO MORE KOREAS!" **Vera Turner**

How to cure surplusitis

BERKELEY, CALIF.

From Rep. Karl King (R-Pa.), according to the San Francisco Chronicle, comes this sage contribution: "The only way to get Americans to eat up much of the surplus food in this country is to popularize obesity." **D. S. De Lappe**

Let Congress know

Despite the apparent disintegration of Secy. Dulles at Geneva, produced by the overwhelming desire of the world's peoples for peace, the future of U.S. policy on Indo-China is still not clear. Senate Majority Leader Knowland, speaking for his Formosa constituents, is still trying to push the U.S. over the brink of war by offering U.S. troops to fight there. We suggest you keep the letters flowing to your Congressmen and to your local newspapers to let them know you want America to get out and stay out of the war.

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REPORT TO READERS

Why we move for amnesty NOW

Congress shall make no law . . . abridging the freedo speech or of the press; or the right of the people peace to assemble and to petition the government for a redress of grievances.

First Amendment to the Constitution

IN 1940, Congress did make such a law—the Smith Act. It rode through attached to an omnibus anti-alien measure sponsored by Rep. Howard Smith of Virginia, later co-author of the wartime anti-labor Smith-Connolly Act. Among many other restrictions—all purporting to thwart attempts to overthrow the government by force or to assassinate public officials—the Smith Act contained language prohibiting the right to "teach, advocate or encourage" such activities or their "necessity, desirability or propriety." Furthermore the Act made it a crime to "conspire" to teach, advocate, encourage or commit any such acts.

The founding fathers of the Democratic and Republican parties—Jefferson and Lincoln—both avowed the right of the citizenry under the First Amendment to discuss, write about and even to act upon "their revolutionary right to dismember or overthrow" any existing government.

However, the Smith Act was not aimed at the Republican or Democratic parties but rather at the Communist Party (whose constitution calls for expulsion of any member advocating force or violence).

IN 1948, the Justice Dept. obtained indictments of the top Communist Party leaders under the conspiracy section of the Smith Act. Since nowhere in the U.S. has any contemporary Communist leader ever proposed forcible overthrow of the government, the indictments accused them of conspiring to teach and advocate this **sometime in the future.**

When they went on trial in January, 1949, the GUARDIAN warned:

If they are convicted, almost all Americans will feel it where it hurts. Read the history of other countries where the Communist Party has been outlawed. In every case this has been the curtain-raiser to attacks on people's living standards, on their unions and their civil rights, including those of the very people who joined the hue-and-cry against the first victims.

Ideas can never be killed by putting those who hold them behind bars. They never have been and never will be.

It is the common sense of America that is on trial. . . .

WE BELIEVE that, at last, the common sense of America is beginning to show itself in public again. That is why we believe that now—today—is the time to petition for freedom and redress for all Smith Act victims and to move for nullification and repeal of this iniquitous law. (See p. 4).

—THE EDITORS

THE REAL 'NEW LOOK' AT GENEVA

Asia enters the world family

By John Peet
Guardian special correspondence

GENEVA

ONE glance round the Geneva Conference press room, as the journalists prepare their reports, conveys one of the most important things about the conference: for the first time in history representatives of the peoples of Asia are sitting down as equals to discuss the vital questions of peace and war.

On my left sits a reporter for a newspaper in People's China; beside him, one from Vietnam, rattling away on a typewriter faster than I shall ever learn to do it. Opposite me is a slim handsome Indian, the editor of a newspaper in Bombay; he has come to Europe especially to report this conference, the success of which can mean so much to his country. Journalists from Iran, Indonesia, Thailand and N. Korea are scattered through the room among the British, French and Americans who, only a few years ago, regarded the reporting of such a conference as their exclusive reserve.

CHINA SPEAKS: The situation has changed in the press room as in the conference room. There have been Chinese delegates at international conferences before, of course: the Chiang Kai-shek government was represented at the Old League of Nations here in Geneva, just as his "Chinese" government on Formosa is represented today at UN.

But now the Chinese people have sent to Geneva a man who for decades has fought in the front ranks of their liberation struggle—Foreign Minister Chou En-lai. Even the most hostile Western journalists have been forced into unwilling admiration for Chou's calm and dignified presence, and his clear and measured statement in which he said:

> "The way to ensure peace in Asia is to end colonialism. We hold that interference in the internal affairs of the Asian nations should be stopped; that all foreign military bases in Asia be removed; that foreign armed forces stationed in Asian countries be withdrawn; that the remilitarization of Japan be prevented; and that all economic blockades and restrictions be lifted."

Dulles, who cannot agree with clear and precise programs which would mean an end to military imperialism's hold in Asia, answered with blustering phrases reminiscent of the speeches of Hitler. Speaking on April 28, Dulles said the U.S. puppet state in S. Korea had "no territorial ambitions which extend beyond its natural borders." One thinks of Hitler's speeches after he had swallowed Austria and Czechoslovakia: "I have no further territorial claims in Europe. . . ."

SPEAKING FOR CHINA: MISS KUNG PENG
She is the official spokesman of the Chinese delegation at Geneva, conducts press conferences, answers all questions on policy.

ASIA & EUROPE: But the participation in this conference of the Asian peoples' real representatives is not only of interest to Asia. Many years ago, at a disarmament conference in Geneva, Maxim Litvinoff, then Soviet Foreign Minister, coined the phrase: "Peace is indivisible." This is just as true today as it was then. Chou emphasized this aspect when he outlined the interest shown by his people in the problems of Europe:

"The people of China and the people of Asia are also concerned about peace in Europe," he said. The policy of reviving German militarism not only menaced peace in Europe, but also aggravated tension in Asia. That was why the people of Asia too were interested in stopping the formation of a W. German Wehrmacht, and in the conclusion of a European Security Pact as the U.S.S.R. proposed at Berlin.

THE RIVER & THE OCEAN: Representatives of the imperialist powers find it hard to adapt themselves to the new position, in which they are no longer the "Herrenmenschen"—the master race. Dulles and the other U.S. delegates have not only refused to recognize the Chinese delegation in a diplomatic sense, but even to recognize them as persons—acting in the conference room as if the representatives of 500 million people simply did not exist. Commented an Indian journalist to me: "Mr. Dulles not only has bad eyesight, since he cannot see the country with the largest population in the world. He seems to have curious ideas about geography, too." I asked him what he meant, and he said:

> "In his speech on Korea, Mr. Dulles said he would not agree to withdrawal of all foreign troops because the Americans would have to be taken thousands of miles across the Pacific while the Chinese would go only a few miles across the Yalu River. According to him, therefore, the only way in which it would be possible to withdraw foreign troops and let the Koreans solve their own problem, is for the Yalu to be enlarged until it is as broad as the Pacific."

Dulles and the U.S. business interests whom he represents no longer have the final word about such matters. At the conference, and in the months and years to come, the people of Asia are going to play their rightful part in shaping a better and more peaceful world.

(John Peet is a British journalist who is now editing the Democratic German Report newsletter in Berlin.)

How Dulles & Co. were prevented from sending troops to Indo-China

EISENHOWER WAS READY TO ASK CONGRESS FOR WAR STEP; BRITAIN BALKED IT

THIS was the headline over the main p. 1 story, by Joseph & Stewart Alsop, in the N.Y. **Herald Tribune** May 2. The Alsops said the Administration had promised France it would ask Congress for authority to intervene in Indo-China; that it had prepared a draft resolution to this effect; that the action was stopped by the British Cabinet's refusal to go along. The Alsops said the story might be denied but credited it to "the highest and most undoubted authority."

The President, in suggesting (4/29) that an Indo-China settlement might be found, had already denied that a French request for intervention had been rejected on British advice. But press reports here and abroad confirm that Washington had decided to intervene and was deferred only by Britain's balk and Congress' unwillingness to sanction go-it-alone U.S. intervention. Here—from the Alsops and other sources—is the chronology:

MARCH 20-25: French Chief of Staff Gen. Ely in Washington told the Administration France would negotiate a truce, unless there was a "new basis" for the war in Indo-China.

MARCH 25-29: The Natl. Security Council "agonizingly" debated what to do. Adm. Radford, Vice-President Nixon, Secy. Dulles won a decision for intervention by "united action." Without consulting U.S. allies, Dulles announced the policy to the Overseas Press Club (3/29). Paris then made its first plea for massive U.S. air intervention at Dienbienphu. It was turned down reportedly because the situation was not then so critical—but more probably to force France to turn the war's direction over to the U.S. (Actually the situation was so critical—and not only at Dienbienphu—that Le Monde's Robert Guillain, returning from three months in Indo-China and "speaking for a great number of our officers and soldiers," made a desperate plea (4/29) to "Save the French Army!" He described the army as "decimated, breached, exhausted," said at least 40-50 new battalions were needed "to plug the widening breaches," "all fronts are crying for help" and air reinforcements were useless.)

APRIL 3: Radford and Dulles told top Senate leaders the Administration proposed U.S. air-naval intervention from carriers in the Tonkin Gulf, sought a joint Congressional resolution authorizing the President to intervene. The alarmed Senators insisted on prior assurance of "joint action" and specific military pledges from U.S. allies. What Dulles did not tell them (Drew Pearson, 4/14) was that this had already been rejected by Allied ambassadors in Washington. Dulles' snap decision to fly to London and Paris was aimed at forcing the allies into line.

APRIL 10-15: The Dulles mission failed. Churchill, keenly aware of British public opinion, refused to be stampeded into action before Geneva. French Premier Laniel and Foreign Minister Bidault wanted U.S. intervention, but only on a short-term basis barring U.S. direction of the war.

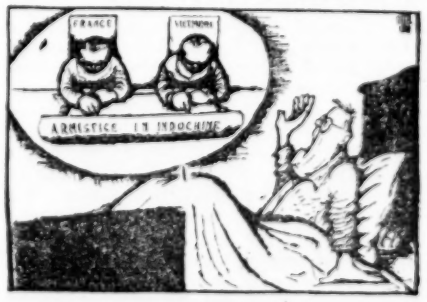
APRIL 15-18: From France came a new appeal for U.S. intervention, accompanied, said the Alsops, by unofficial warnings from American quarters that the fall of Dienbienphu would topple the Laniel government, lead to a government which would "surrender" in Indo-China. Walter Lippmann indicated the French appeal was inspired by U.S. sources. (Top political columnist J. J. Servan-Schreiber in **Le Monde**, 4/28, said that one man—Dulles enthusiast Bidault—had spoken for "France" ever since parliament went on vacation recess the second week in April; neither the people nor any other government members had been "consulted before France's destiny was to be sealed—only its Foreign Minister.")

The Alsops said the U.S. had the carrier force in station to act. Dulles meanwhile had returned to find Congressional resistance to unilateral U.S. intervention growing. The reason: Gallup Polls reported 10-to-1 opposition to Americans fighting in Indo-China. Mail to Congress was overwhelmingly against **U.S. News** (5/7) quoted a Senate committee chairman: "99% of my mail urges that Americans be kept out of any more Asian wars. . . ." A mid-west Republican: "If we take troops into Indo-China, the Republicans might as well not even plan a campaign for November."

After new consultations with Senate leaders, intervention alone was ruled out, a new effort to get allied support launched.

APRIL 22-25: Under-Secy. of State Smith showed French Ambassador Bonnet the draft resolution for Congress on "united action." The conversation resulted in instructions from France to its London ambassador to press Churchill to agree. On April 23 the three western foreign ministers met in Paris, after which Eden rushed home to give Churchill the Dulles' proposal that Britain join the U.S. in launching attacks from four aircraft-carriers in the Tonkin Gulf "in a matter of days." One high U.S. official told **UP** that token British representation—even one airplane—would have been enough.

But the British Cabinet on April 25 turned the proposal down flat, "decided instead to press as hard as possible for a negotiated settlement . . . which would dispose of any possible Anglo-American intervention" (**NYHT**, 4/29). Radford flew to London (4/26) to get Churchill to change his mind. Churchill reportedly told him British agreement to the U.S. plan would bring down his government, split the Commonwealth. British newspapers (4/30) banner-headlined the detailed story of how the Cabinet had blocked U.S. intervention. A further roadblock was set up when Churchill reported to a cheering Parliament (4/27) that



Mitelberg in Humanite, Paris
Mr. Dulles' nightmare

Britain had made no new commitments, in effect told the U.S. to keep its shirt on.

As a result of the British decision, wrote Ned Russell (**NYHT**, 4/29), "officials of the Eisenhower Administration are in a state of frustration bordering on despair . . . alarm is felt . . . that the fall of Dienbienphu, now regarded as a virtual certainty, would wipe out any opportunity for American or allied intervention. . . ."

Why Asians cheer Dwight Eisenhower

"I was there when Vice-President Nixon stood on the hood of his automobile in our native village in Lower Cambodia. I, too, joined the milling crowd in roars of approval when Bwana Nixon mentioned the magic words Dwight Eisenhower. However . . . it is important that a certain misinterpretation about the incident be corrected immediately.

"In the lower Cambodia dialect Dwight is close in pronunciation to *dwaika* which, roughly translated, means free. In addition, Eisenhower is quite close to the native *iekendowah*, the name of a popular local beverage which is quite similar to your beer.

"The natives of Lower Cambodia await with avid anticipation the Vice-President's general offer of lend-lease aid."

—Tookmah Hhopps, an Asian subscriber, in a letter to the **Democratic Digest** reprinted in York, Pa., **Gazette & Daily**, April 27.

Little-known aspects of the Red Menace

In answer to these inquiries as to the cause of suicides . . . has not all this been deliberately planned and executed by Reds, other subversives and their unwitting dupes. . . .?

—Letter to editor,
Seattle Times, April 10.

AMNESTY: Key to nailing the Big Lie --- A Guardian fight-back series

By John T. McManus

WITH THIS ISSUE, NATIONAL GUARDIAN initiates a continuing campaign to enlist all readers and the people of their communities in a mass action now for amnesty for America's political prisoners.

We enter this project fully aware of its proportions. Our first concern is with the 105 Smith Act victims now in prison, appealing convictions or awaiting trial. But we recognize also the political nature of every Walter-McCarran Act deportation or denaturalization case; every Taft-Hartley indictment, and recurrent special instances such as the "spy" conviction and 30-year sentence of Morton Sobell and the persecution of Rosa Lee Ingram and her sons in Georgia for defending themselves against a white marauder. A national amnesty campaign cannot fail to work to the benefit of any and all victims of political persecution.

TWO PRECEDENTS: We realize that undertaking a campaign for amnesty in the U.S. today means an upstream struggle against a torrent at its crest. But it is just for this reason that we propose it now. Those game enough to move for amnesty at the height of the present crisis will find future going easier, not tougher; adherents readier, not harder to get.

Twice in the almost six years since the GUARDIAN staff came together to launch a publication, we have marshalled facts and arguments of sufficient persuasion to warrant nationwide common action by our readers:

- In the case of the Trenton Six, GUARDIAN readers forced an unknown police frame-up to national and world attention, winning reversals of convictions for murder of six Negro men and ultimate freedom for all but one who died in prison.
- The Rosenberg Case evoked the most widespread appeal for justice and humanity in history. Because of this, Ethel and Julius Rosenberg did not die in vain; their integrity and courage are now immortal examples to the world.

We believe that GUARDIAN readers who initially undertook these fights will not miss the immediate and long-range opportunities in gaining broad concurrence now in an amnesty drive for the Smith Act victims.

REPRESSION'S CORE: As in the Alien & Sedition Laws period of our country's first decade, the Smith Act today is the keystone of the repression now enveloping the people. It is unconstitutional on its face, as Supreme Court Justice Black's historic dissent in the Dennis Case pointed out in June, 1951. The original Foley Sq. convictions of the 11 top Communist leaders under the Smith Act in 1949 provided the needed legal precedent for the McCarran Subversive Activities Act of 1950 and the Walter-McCarran omnibus immigration act of 1952, denying political freedom for some 26,000,000 Americans of foreign origin and threatening into silence their native-born children, spouses etc.

OLETA O'CONNOR YATES

For her ideas: 5 years in jail. For refusing to name names for West Coast witch-hunters during her trial: 4 more years in jail. Of 105 Smith Act victims, 14 are women, one a grandmother. Some face deportation too.

The implications — although completely without substance — of the Smith Act convictions and their Supreme Court affirmation have provided the "legal" basis for today's McCarthyism and for such propositions as the Smith and Butler bills and other new anti-labor measures. They provide the basis as well for the Eisenhower and Brownell proposals to revoke citizenship of Communists and otherwise end all free inquiry and dissent in America.

THE JEFFERSONIANS in their day fought for and won the Bill of Rights during Washington's administrations, but virtually lost it during John Adams' (1796-1800). The Alien & Sedition Laws were enacted in 1798 as the keystone of the repression of the founding Revolutionary citizenry. In two years of fighting to nullify them, the citizens elected Jefferson to the Presidency in 1800. In his first year in office he freed all political prisoners and declared the Alien & Sedition Laws "a nullity . . . as absolute and palpable as if Congress had ordered us to fall down and worship a golden image."

PRISON FOR IDEAS

In an armored van, Eugene Dennis, general secy. of the Communist Party, and Irving Potash, natl. committee member, leave for prison after the Supreme Court denied their appeal. Dennis has been logger, construction and marine worker and editor. Potash is a vice-president of the Furriers Union. Among the 105 men and women imprisoned, convicted or indicted under the Smith Act are Negro leaders, authors, editors, reporters, educators, joined in the common idea of a people's world.

The President's power to grant amnesty

The Constitution of the U.S. empowers the President "to grant reprieves and pardons for offenses against the U.S. except in cases of impeachment" (Art. II, Sec. 2).

Seventeen Presidents from Washington to Truman have issued amnesties under this provision. Of this pardoning power, Chief Justice Oliver Wendell Holmes said in 1927:

"A pardon in our days is not a private act of grace from an individual happening to possess power. It is a part of the Constitutional scheme. When granted it is the determination of the ultimate authority that the public welfare will be better served by inflicting less than what the judgment fixed."

Prof. James D. Barnett wrote on "The Grounds of Pardon" (1926):

"There are a number of offenses punishable by law about which there can be no doubt as to the formally expressed intention of the legislature, but which, at the same time, it is nearly universally recognized, deserve as much leniency as possible, perhaps even absolute pardon. The case of 'political offenders' is the most conspicuous."

—From historical researches of Dr. Herbert Aptheker.

WHAT IS NEEDED: A national drive for amnesty is the most sensible step toward rendering today's Alien & Sedition Laws a nullity and halting persecutions under them. There is universal opposition to the Smith Act in the labor movement and among many groups other than on the Left; but there is no serious move for a Congressional repealer, nor is there immediate hope for such a move. And although each group of Smith Act convictions will undoubtedly be taken to the Supreme Court, there is no reason to expect the present Court to act otherwise than in its rejection of the first Foley Sq. appeal (referred to as the Dennis Case) unless widespread public demand can be brought to bear. The Court has already negated its promise in the Dennis decision to review future convictions "with the scrupulous care demanded by our Constitution," by refusing to review the Baltimore convictions of 1952.

Furthermore, all efforts to win paroles for any of those imprisoned have been denied. In the case of Benjamin J. Davis, the parole delegation was complimented on its persuasiveness, but was informed that "community sentiment" was opposed to his release.

TWO OBJECTIVES: Hence the immediate task is changing "community sentiment," with these objectives:

- **Winning relief and redress for present and future Smith Act prisoners.**
- **Creating a community atmosphere opposed to Smith Act persecution, in order to bring about nullification or repeal.** (Nullification is not impossible: the political action section of the Taft-Hartley law was nullified in 1948 through staunch CIO opposition.)

An immediate amnesty campaign is an effective way to begin under-cutting the Big Lie of our time on the domestic front, that the Communist Party is an organization which advocates the overthrow of government by force and violence.

NO EVIDENCE: Only by legislative fiat —and nowhere by evidence—does this claim exist. The Communist Party constitution directs the expulsion of any member advocating change by other than peaceful means. The Supreme Court in the Schneiderman Case in 1941—the last judgment handed down on this point—overruled earlier holdings that the courts could take judicial notice that the Communist Party does advocate overthrow of the government by force and violence. The Court held Communist theory "within the area of allowable thought," said it does not show a lack of attachment to the Constitution, that it "justified the use of force and violence only as a method of preventing an attempted forcible counter-overthrow once the party had obtained control in a peaceful manner."

Thus today's McCarthyite phrase "'Communist conspiracy" relies solely on the Smith Act convictions and the ensuing McCarran Act for credibility, despite an unreversed Supreme Court ruling to the contrary.

THE COMMITTEE: Under the chairmanship of Dr. Edward K. Barsky, a Natl. Committee to Win Amnesty for Smith Act Victims has been at work for more than a year. It has thus far gathered important non-partisan support, and its efforts have already brought about many independent amnesty appeals as well.

The campaign to free Tom Mooney began in 1916, the year of his conviction, with six men meeting in a San Francisco tailor shop. The Sacco-Vanzetti defense was organized by Elizabeth Gurley Flynn and a few Italian anarchists. The Amnesty Committee headed by Dr. Barsky was formed by the wives of the Foley Sq. 11 a year after they went to jail in 1951. Amnesty letters signed by prominent citizens went to President Truman at Christmastime, 1952, and to President Eisenhower in 1953.

AMNESTY MONTH: The month June 4-July 4 (the period intervening between the Supreme Court denial of the original Foley Sq. appeal in 1951 and the date the convicted men entered prison) has been set aside as Amnesty Month.

Between now and Amnesty Month, the GUARDIAN will provide special information and material essential for bringing the amnesty campaign to people in your community. We hope you will utilize this information; write in for other materials available through the Amnesty Committee (see box); and enlist yourself and your friends, neighbors and associates in this major engagement of the fight for a democratic, free-thinking America.

ACTIONS FOR AMNESTY

1 **WRITE A LETTER, either individually or with others, to President Eisenhower, asking that he grant amnesty to the Smith Act prisoners.**

2 **ASK ORGANIZATIONS to which you belong to discuss the question, and to write to President Eisenhower urging amnesty.**

3 **ARRANGE FORUMS at which the issues in the amnesty campaign may be discussed.**

4 **GET MATERIAL, speakers for meetings, other assistance from**

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TO WIN AMNESTY
FOR SMITH ACT VICTIMS
667 Madison Av., New York 21, N.Y.

Material now available: 24-pp. pamphlet "Prison for Ideas," 15c; $6.25 for 50; $10 for 100. Also (free) "Amnesty Trumpet," monthly newsletter.

BOOKS Indo-China — by a man who saw for himself

By Cedric Belfrage

All men are born equal in right and endowed by their Creator with certain inalienable rights that none can violate, among which are the right to live, the right to be free, the right to realize happiness.
—Manifesto of the liberation forces of Cambodia, Indo-China.

BY all reports and external evidence, cowboy - and - Indian epics are the sole literary diet of the President of the Western ex-colony which won its freedom by armed struggle 168 years ago. It is too much to hope that, as this ex-colony stands on the brink of active intervention in the struggle for freedom of the French colony Indo-China, Mr. Eisenhower will take an evening to read the only book by an American reporter who has visited with the Indo-China "rebels." Were such a miracle to take place, he would be confronted with a parallel which might give him pause, between the aims of the colonized Indo-Chinese in 1954 and of the colonized Americans in 1776. He would —who knows?—learn something about the "spiritual values" (his favorite phrase) and where they reside in Asia.

We may pray for such a miracle—but let us by all means work to get this book of the hour* into the hands of every American whose eyes are not permanently sealed to the truth. This we can do in the happy knowledge that Joseph R. Starobin has written the kind of book any open-pored American can read with pleasure and excitement, and therefore with some hope that its facts will penetrate.

"WEST OF CONCORD": Eye-Witness in Indo-China is a warm, personal account of a voyage of discovery, made by its author early last year, which any GUARDIAN reader would have given his last dollar to make. From Peking, where he was a delegate to the 1952 peace congress, Starobin traveled by train, captured American jeep, truck, horse and bicycle to that part of northern Viet Nam—"somewhere a bit west of Lexington and Concord," if the Indo-China map were transposed to the area of the American Revolutionary War—where the Vietnamese people's portable government, army and war industry functioned.

In that forest he lived for a month with the leaders and rank and file of the struggle for freedom: Communists, Socialists, Buddhists, Catholics, men and women young and old in a land most perilous for intruders because "every grandmother carries a gun."

THE SECRET: He talked about the military picture with the 41-year-old Viet Minh commander Gen. Vo Nguyen Giap, whose wife and only child were victims of the colonial power and who, since he was 29, has organized the guerrilla resistance against the "free world" mercenaries of 24 nationalities. He talked about the political picture with Ho Chi Minh—"'Uncle Ho' to every child and teen-ager in the land"—who has stored up wisdom from travels all over the world as merchant seaman and political leader, and today sets his people the example of modesty, frugality, hard work.

Division commander Vuong Thu Vu, a former railroad worker, explained to him "the secret of our strength—our political training. We encourage our soldiers to talk up . . . to answer the questions: who are your enemies? Who are your friends? As each one recounts his experiences, all of us are filled with hatred for the colonialists. As you have seen, outwardly they are very gentle, but in battle, they are ferocious. The moment the enemy drops his weapons, our soldiers are taught to be cordial immediately."

HARD QUESTIONS: And there, deep in the malaria-infested forest where the fight is organized, Starobin found the people going to school, staging art exhibitions and plays, hotly eager to learn about how it is in other lands. In a "night of hard questions" Starobin, correspondent of the **Daily Worker**, tried to explain to them the complexities of American politics, why it is inaccurate to say that "fascism has already conquered in the United States." . . . And they in turn told him, showing him U. S. Army Air Force maps of World War II vintage, of the friendship they had then with Americans with whom—in that era so recent but seeming so long ago—they worked together to send the Japanese back where they came from.

Why, today, are their allies of a decade ago the greatest obstacle to their long, agonized fight for "a taste of freedom before they die?" Hard question indeed. But one that could be so quickly answered—if the simple truth that Starobin here tells could be made known to the inheritors of the epic of Valley Forge.

* *EYE-WITNESS IN INDO-CHINA, by Joseph R. Starobin, Cameron & Kahn Inc., New York, 187 pp., $2.50.*

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Monthly Review has 5th birthday

The independent socialist magazine **Monthly Review** will mark its fifth birthday on Thursday, May 20, with a celebration meeting at the Hotel Capitol, 8th Av. and 51st St. Editors Leo Huberman and Paul Sweezy will speak on "The Repression" and "The Economy," and Scott Nearing (whose **World Events** was recently merged with **MR**) will discuss "The Resistance." The chairman is Prof. Henry Pratt Fairchild; time, 8:30 p.m.; admission, $1 in advance (**MR**, 66 Barrow St., N. Y. C. 14), $1.25 at the door.

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Terror at Monmouth

(Continued from Page 1)

she finally was called to the stand. Mr. W had the same experience the same day—except that he didn't get to the witness stand until after Mrs. B. was finished.

THE DEADLY SUBPENA: On Oct. 15 Mrs. H, replying to questions, testified that she was married and her husband was an art teacher in a New York school. McCarthy issued a forthwith subpena for him, told Mrs. H's lawyers that if they didn't produce Mr. H within two hours he would be served with the summons in his classroom. When he did appear, it developed that he had not the remotest connection with any aspect of the Monmouth probe. Although he was questioned in executive session, every newspaper in the city that day published his name and identified the school that employed him.

On Nov. 5 Mr. P, also a school teacher, was subpenaed in his classroom at 3 p.m. and ordered to appear before the committee at 4 p.m. the same day. When he didn't appear because of the insufficient notice, he was "cited" for contempt. Later it developed that he had no connection whatever with Fort Monmouth. Neither did his brother, who was also called as a "witness." Several other public school teachers, with no Monmouth connections, were also subpenaed. In New York City a McCarthy subpena can be tantamount to loss of job for a school teacher.

THE ORIGINAL JOE: Threats to witnesses were routine. If they answered questions, they were threatened with perjury prosecution; if they didn't they were threatened with contempt. Also routine were hypothetical and opinion questions. When Mr. W was asked: "At the time you married your wife did you have any reason to suspect that she might be a Communist sympathizer?" he protested and said no. He was promptly threatened with a perjury prosecution. Mr. L denied under oath that he had ever stolen classified material, but then was asked:

"If you wished to steal such material could you have done so?"

Mr. W was asked:

"What would you answer if one of your students were to ask you whether murder was justified?"

Efforts to entrap witnesses were likewise routine. A standard question was: "Have you ever engaged in espionage?"

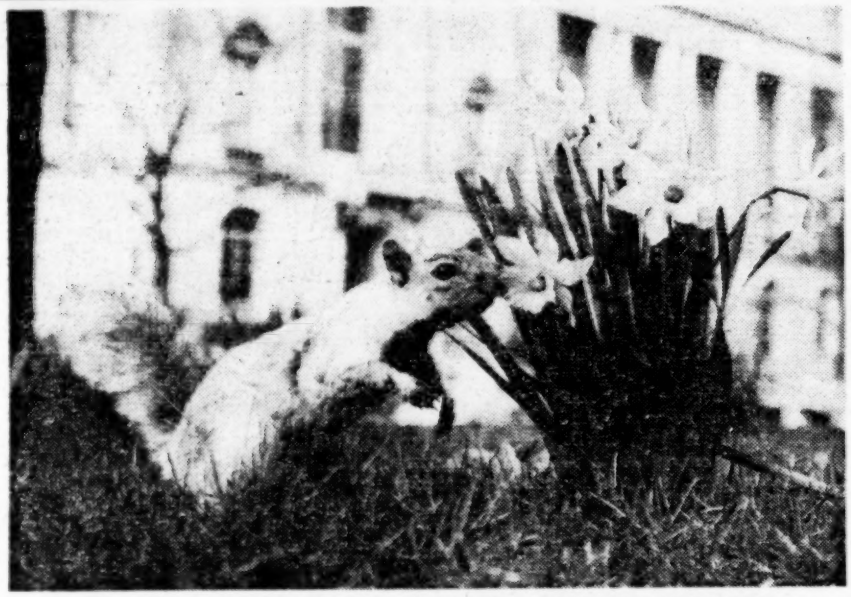
THE BIG TOP: If the witness claimed the privilege of the Fifth Amendment, he turned up in afternoon headlines as a "leading espionage agent." If he answered in the negative, the Senator promptly announced that he had thereby waived the right to invoke the 5th on any other question. The witness couldn't win.

Most of the executive sessions—supposedly secret—were run as entertainment for selected McCarthy friends. Army officers attended in full-dress uniforms, their women companions dressed as though for the theater. "Leaks" to the press from closed sessions were common; favored columnists were able to predict with perfect accuracy future committee happenings.

THE DEAD CHILD: The case of Mrs. S tops all the others. When she was subpenaed in October, she was in the seventh month of pregnancy. She was questioned at great length and threatened not only with perjury and contempt prosecutions, but at one point with capital punishment. She was called a second time on Nov. 5 for another grilling; her husband was also called and "cited" for contempt. Her counsel repeatedly urged some consideration for her advanced pregnancy, but on Nov. 19 he was told she would be called again for a public session Nov. 24. Mrs. S was so informed on Nov. 20; two days later she was taken to a hospital. On Nov. 22 a premature child was born to her, dead. Says her lawyer:

> "There is no doubt in her mind, nor in the mind of her counsel, that the strain of the executive session and the anticipation of the public session were the cause of this tragedy."

In his Monmouth hearings McCarthy turned up no evidence, but made sensational headlines for himself. In the course of it he abruptly ended a number of fine careers, ruined a number of lives. Those of his Monmouth victims who watch the TV show must blink a bit as they see him kick up a storm because his boy Schine is being "badgered" on the witness stand.



HE GOT A WHIFF OF THE McCARTHY HEARING AND LEFT

A long-suffering Washington squirrel tries to get the smell out of his nostrils in a flower bed outside the Senate Office Building.

War & Peace

(Continued from Page 1)

> for entering the war except as a collective action in which nobody is now willing to engage. . . . [The U.S. must withdraw to the sidelines, then] we can devote ourselves unreservedly to the question of whether Secy. Stevens was smiling when he was photographed with Private Schine."

AGONY & CHICKENS: In the U.S., Washington's Geneva fiasco produced blame-the-British, damn-the-French explanations, complaints about Dulles' "repeated failures and bad guesses" (O'Donnell, N.Y. **Daily News**, 5/3). **CBS**'s Smith felt it should rather spur Americans to "an agonizing reappraisal" of the foreign policy itself, force them to discard the myths on which it is based.

The chickens coming home to roost at Geneva were the pay-off for Truman's reversal of Roosevelt's co-existence policy, carried to its logical consequences by Eisenhower. The bipartisan policy of mobilizing one half of the world against the other has isolated Washington from all of it ("world leadership has at last run the circle to isolation"—N.Y. **Daily Mirror**, 5/3); reduced its influence and prestige, and made it almost as hated and feared as Hitler's Nazi regime.

MYTHS TO EXPLODE: But Geneva might help shatter for Americans the myth (which has been indispensable in Washington's war drive) that "free peoples" support Washington's policies. It might force attention to realities which can no longer be ignored without disastrous consequences in the U.S.

Canard Enchaine, Paris

News Item: Dienbienphu commander threatened to quit unless promoted from colonel to general.

"If they don't make me a corporal at once, I'll drop my broom."

The first reality is the fundamental political change in Asia. Washington's aggressive policy toward China, Molotov told the conference,

> ". . . has no prospects whatever, for it is in conflict with the entire course of historical development in Asia and elsewhere. . . . [In China,] social, economic and political changes . . . are taking place before everybody's eyes and not to reckon with that means not to reckon with events of the greatest historical importance."

Other newly independent Asian countries, Molotov noted, have "entered the historical arena," with India "occupying an ever more prominent place." India, Pakistan, Burma, Indonesia and Ceylon—determined to play an international role—met at Colombo April 28-May 2 and issued a joint call for an immediate cease-fire in Indo-China, direct French-Viet Minh negotiations, China's admission to UN, a ban on further A- and H-bomb tests. Although divided on some issues, all five recognize the New China and "believe the current deplorable situation in Korea and Indo-China is largely due to the U.S. refusal to follow the same course" (**CSM**, 4/29). For this reason Washington opposes participation of most of them in the Asian conference on Indo-China, while showing "undoubted concern . . . about the possible effect on the Asiatic masses of the speeches of Molotov and Chou" (**INS**, 4/30).

THE TRADE CRISIS: Second reality is the need to restore a world market. British refusal to join in Indo-China intervention stemmed significantly from conflicting U.S.-British interests in Asia, and the necessity driving Britain to find markets in the U.S.S.R. and China. Cheerful White Papers do not conceal the weakness and vulnerability of the British economy. G. H. D. Cole wrote in **The Nation** (5/1):

> ". . . Our applecart could be upset again at any moment either by another American spree of stockpiling, or, even more disastrously, by a cessation . . . of the flow of American dollars to the rest of the world. An American depression would hit us much harder than an American speculative boom."

The process since 1946 of U.S. loans-Marshall Plan-military aid to Britain and France—hogtieing W. Europe to U.S. policy, forcing it into military spending beyond its means—is now nearing an end. As Cole put it, "sheer economic necessity will compel us to fall out of the race before long unless a detente [relaxing of tensions] can be brought about." A U.S. depression would speed this end.

ADVANCING TIDES: Why W. Europe has not yet felt the impact of the current U.S. downturn—cause for surprise in some circles—may be explained by a recent Orgn. for European Economic Co-Operation report. This showed that exports of OEEC nations to the U.S.S.R. jumped from $59.3 to $131.3 million from the first to the second half of 1953, with 1954 expected to show "a continuation of the trend as some of Russia's heavier orders are delivered."

In 1954, the **Journal of Commerce** (4/14) reported, Soviet purchases in W. Europe will reach $700 million or more. This—somewhat more than half the pre-war volume—is a substantial figure and can bolster W. European economies. It is only a beginning: at the Moscow Economic Conference in April, 1952, the U.S.S.R. said it could raise trade with W. Europe above pre-war levels. The $140 million Soviet trade agreement with Belgium provided for an exchange higher than that envisaged at Moscow two years ago—when Moscow's offers were termed visionary. Britain has already been offered $1.2 billion of orders in the next three years, has contracts signed for $140 million worth. **NYT** (5/3) conceded that recent Soviet gold sales to Britain bolstered the pound, gave "British money the final lift it needed in its comeback."

DISENGAGEMENT: While Washington still tries to stall relaxation of the trade embargo, U.S. allies are beginning to disengage themselves from the U.S. stranglehold. The tide has turned and cannot be arrested. In Berlin, as Geneva opened, 47 leading British firms began negotiations with Chinese representatives; in Geneva, East-West trade experts from the UN Economic Commission for Europe were exploring ways to expand trade.

The U.S. can only weaken itself economically and politically by continuing its economic war against the socialist world. Geneva dramatizes the need for an end to war preparations and a resumption of normal trade relations among all nations.

Moral: Keep Katchen off the air

The Voice of America announced yesterday that it will beam to the Russian people a broadcast in support of the plea of Nikolai Khokhlov to save his wife and child, who are still in Russia, from possible imprisonment or death because of his refusal to obey a Kremlin order to murder. It will tell the Russian people that "only the Communists believe in the law which they have made that holds a person responsible for the acts of his relatives or friends. Only the Kremlin finds such a law necessary."

—N.Y. **Herald Tribune**, April 24, p. 2.

Mr. Katchen [lawyer for 23 Fort Monmouth workers suspended after McCarthy committee hearings] said none of his clients had been charged with being Communists. . . . The charges . . . involved "associations and relatives, past connections with people charged or alleged to be Communists, opinions and things like that."

—N.Y. **Herald Tribune**, same day, p. 2.

Drawing by Dyad, London

"Senator McCarthy callin' all cars—33 businessmen escaped from Britain to Moscow to trade—get crackin'."

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GRAVY FOR BUILDERS — GOUGE FOR TENANTS

The Federal Housing loan scandal

By Ione Kramer

IN 1934 when a third of the nation was ill-housed, President Roosevelt set up the Federal Housing Administration to build government-aided low-rent apartments and administer government-insured loans. The latter was a shot-in-the-arm to the prostrate building industry and made it easier for folks building their own homes to borrow money. Bitter protests of "socialism" came from the real estate lobby, but died down as it found ways to use FHA for profit: housing, since World War II, has been

> ". . . one of the few areas—like direct war production—in which new fortunes can be built up. . . . Only oil wells and armament components have offered similar possibilities for the fortunate operator in recent years" (York, Pa., **Gazette and Daily,** 3/27/54).

Last month the White House announced a probe of FHA files for "illegal or unethical" actions favoring builders under the Housing Act's expired Sec. 608, and under the small-home-repairs loan section of Title I of the Housing Act of 1950. Some observers saw the move as a "face-saver" since the Treasury Dept. has recently been bringing "608" builders to task for income-tax irregularities; others wondered whether behind the hoary "608" scandals, raised while the government's housing bill is in Congress, were the bankers, who traditionally feel "housing and insurance businesses . . . are not the proper function of government . . . [which] is not by its nature equipped to do such things properly" (**Wall St. Journal,** 4/14). They want to lend their money at higher interest rates than FHA provides.

"FREE ENTERPRISE MEN": Federal Housing Administrator Albert M. Cole —who likes high interest, doesn't like low-rent federal housing, and was appointed by President Eisenhower "to administer a department which he plainly considered subversive" (**Labor's Daily,** 10/9/53)—claimed the "abuses"

Herblock in Washington Post

"What's next on the schedule, men?"

were news to him. (In 1951 Cole, then a Representative from Kansas, was a member of the House Banking & Currency Comm., which thoroughly investigated misuses of Sec. 608.)

Cole fired FHA Commr. Guy Hollyday, whom he called " a fine Christian gentleman," named to replace him former Chamber of Commerce pres. Norman T. Mason, a self-described "free enterprise man." As a Boston lumber dealer Mason serviced many Title I repair loans, and as a C of C spokesman urged higher interest rates before a House committee in March.

Republican Congressmen, seeing a ready-made Democratic whipping-horse, concentrated on "608" scandals which occurred in the Truman administration.

THE GRAVY: Under Sec. 608, between 1941 and 1950 a builder of rental housing borrowed from the bank as usual, but the FHA insured his mortgage up to 90% of the cost of the building. It meant that the government told the bank it could

> ". . . venture into a field of investment without any risk at all, except for the risk of the collapse of the government itself" (York **G&D** 3/27).

Often the FHA officials insured the mortgages up to 130% of the cost. Sen. Homer Capehart (R-Ind.) said total overpayments may reach 500 million (enough to build an estimated 50,000 new low-rent apartments under a public-housing program). Administrator Cole cited a builder who received a $8,380,000 loan for a building which cost only $3,890,000, and pocketed the difference. Builders would dissolve their corporation, pay the bonanza out in "liquidation profits," transfer ownership of the building. Left to pay off the principal and interest on the exorbitant loan were the 460,000-odd tenants of the 608's through monthly "rent" often hiked 15-25%.

Builders found another way of hanging on to the extra cash. The Internal Revenue Bureau—whose prosecution of Gross-Morton, builders of Glen Oaks (L. I.) apartments, brought "608's" to public attention in March—said Gross-Morton owes the government $2,122,749 in 1948-49 taxes on the extra "take" on the loan. They paid their taxes on it at the 26% capital-gains rate rather than the income tax rate which is three times higher. The government says it is out $28 million on similar cases.

(Over 800 tenants of Gross-Morton's Glen Oaks Village voted unanimously to withhold 25% of their rent pending investigations. They calculated they would have saved that much last year if they hadn't paid $390,000 annual overcharges. An order signed by the N. J. state rent commission will permit a rollback of rents to the Aug. 1 level on some 25,000 "608" apartments there.)

REAL SCANDALS: If Congress investigators were looking for some real current scandals, groups of tenant-owners in co-operative apartments built under the Housing Act's Sec. 213 offered their situation. The section was set up to provide low-cost FHA-insured loans to veterans and other groups to build their own moderate-income co-operative apartments. Builders and their relatives, posing as "co-operators," got FHA-insured loans based on excessive FHA appraisals, put up jerry-built apartments at costs less than the loan, and sold them quickly to apartment-hungry vets and their families.

The latter found their monthly housing costs far higher than builders had promised them because of high upkeep and repair costs on shoddy buildings (inspected only cursorily by FHA), high land rent and management fees to the builders tied in with the transactions. Said Eugene Morris, who is representing Flushing, N. Y.'s Mitchell Gardens

CIO News

"Mary will be the mother, you be the father, and I'll be the landlord asking for a rent increase."

tenants in a $2 million lawsuit against the builders:

> "The evils resulting from the fraudulent practices engaged in by builders (in "213" projects), together with the collusive or grossly negligent supervision of the FHA, far surpass the dire consequences of the Section 608 or Title I situation."

Pressure from 9,800 residents in 36 N. Y. co-ops brought agreement from FHA to investigate.

REPAIRS RACKET: The other half of the scandals centered on repair loans to small home-owners under Housing Act Title I. Cole charged that crews of "dynamiters" working with repair companies roamed the country urging home-owners to apply for excessive loans for often unnecessary or shoddy repairs at fantastic prices. The FHA lends about $2 million a year in loans of this type, most of them under $600. (Another section of Title I fit for investigation is the one dealing with tenant relocation policies of cities benefiting from its "slum clearance" provisions. Thousands of low-income tenants—56,000 in N. Y. alone—are being driven from their slum homes, the only ones they can afford, to make room for high-rent privately built apartments. Federal and city governments aid the builders by selling the land to them at reduced rates, but are not doing a good job finding or building new homes for the "displacees.")

On both types of abuses, AFL economist Bert Seidman said the FHA had

> ". . . flatly refused to police these loans . . . exerted every effort to block remedial legislation, claiming that any effort to prevent builders from obtaining such windfalls would kill the entire FHA program.
>
> "[The FHA] is known as the spokesman in the government for the large home-building and real estate interests. . . . The top positions . . . have always been filled by people who have come out of the building and real estate industry and after their stint in the FHA almost always return to considerably more lucrative jobs in home-building, real estate or banking institutions."

LOST IN THE RUSH? The consumer has been the "forgotten man" in FHA dealings, charged the AFL. Recommended was legislation for a builders' warranty guaranteeing against structural defects in the first two years after construction, and a law requiring the builder to certify the actual costs; where an FHA-approved loan exceeded them, the excess should be used to pay on the mortgage.

CIO Textile Workers representative John W. Edelman urged (N. Y. **Times,** 4/30) that FHA's philosophy be revised to really help people with $2,500-$6,000 incomes get loans with a top limit of $12-$13,000 to build their own homes.

Builders are worried about the bad publicity FHA is getting because it is their substitute for low-rent federal housing. Advocates of public housing, where no abuses have been found, are worried that the FHA smudge will endanger their already shaky cause. (The House voted to end the federal low-rent building program after fiscal 1955. The housing bill—minus public housing—is in the Senate, where Sen. Burnet Maybank (D-S. C.) has said he will fight for the full provisions of the 1949 Housing Act which called for 140,000 low-rent apartments a year for the next four years and up to 200,000 in slump years.) The entire housing bill, postponed by investigations, is in danger of getting lost in Congress' adjournment rush.

DANGER SIGNALS: To the nearly 4½ million jobless in the U. S. and 1/5 to ¼ of the population that is ill-housed, both low-rent housing and cleaned-up aids to builders and small home-owners looked like a "must." Without government guarantees, it is "unthinkable" that a housing boom could be generated, and

> ". . . equally unthinkable that the continuous flow of investment into the housing field could be allowed to slow down materially without bringing about a bad slump throughout the economy" (York **G&D,** 3/27).

In Feb., 1953, **U. S. News** noted:

> ". . . For every construction job on a building site, two or three jobs are opened in industries that supply machinery, equipment and materials. Added business is also given to railroads, truckers and others who provide services to the building industry."

SETBACK FOR BROWNELL

Lawyers Guild wins court victory on listing

FOR the first time Atty. Gen. Brownell has been stopped from listing an organization as "subversive" before constitutionality of the listing is decided. A U. S. Court of Appeals decision last week stayed Brownell's further action on listing the Natl. Lawyers Guild; it said the Guild's challenge to the constitutionality of Exec. Order 10450, under which the listing is done, must first be decided by a hearing in the Washington District Court.

In a victory atmosphere the decision was hailed by the Guild's president Earl B. Dickerson as an opportunity for a judicial decision on "the fundamental question whether government officials are empowered to blacklist organizations," before 1,550 members and guests at the Guild's annual banquet at N. Y.'s Hotel Commodore May 4. He likened that day's decision to the Dred Scott decision in 1857 which inspired the hitherto "lukewarm liberals" to make it their point of attack to end slavery.

NOT IN THE BOOK: In the District Court proceedings, which the Appeals Court recommended be held at an early date, the Guild says the Atty. General's listing of any organization is unconstitutional because:

- The power to investigate security risks among government employes (embodied in Exec. Order 10450) does not authorize blacklisting of organizations;
- Such blacklisting infringes on the right of free association (1st amendment);
- Regulations for an organization's hearing (under officers assigned by Brownell, with no need for the government to prove its charges or present witnesses for cross-examination) violate due process provisions (5th amendment);
- The term "subversive" is too vague to form a basis for executive action.

BROWNELL OFF BASE: The Guild holds that the Atty. Gen. has prejudged the case against it, and cannot give it an impartial hearing. Before he had even informed the Guild he was going to list it, Brownell had charged in public speeches that it was "the legal mouthpiece for the Communist Party" because its members had "opposed all laws or investigations which sought to curb or expose Communist activity."

At the Guild banquet Dickerson warned that "if Brownell can make the charges stick, the victims of the current witch-hunt may be able to find no effective counsel." **Nation** editor Carey McWilliams said that the attack on lawyers is an attack on the Sixth Amendment to the Constitution, which guarantees right to counsel. Some sections of the bar and legal profession bear "a large measure of responsibility" for the present crisis, he said, by their "Quisling-like supineness" in not actively supporting this right.

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Campaign on to get Sobell off Alcatraz; May 10-June 20 Rosenberg Memorial period

IN THE WEEK of April 11, when Morton Sobell in Alcatraz Prison marked his 37th birthday and his fourth year in prison, the government was using the Rosenberg-Sobell case as a scare sensation in the case of J. Robert Oppenheimer. "Mort was not surprised at the kind of attack on Oppenheimer," said Mrs. Helen Sobell who, on April 23, traveled 3,000 miles to visit her husband. Last October, Mrs. Sobell said, her husband had written her:

> "Many eminent people have already pointed out that the loyalty oath was not designed to weed out the 'disloyal.' . . . Rather it was calculated to put a terrible fear in the hearts of men, almost a fear of some unknown, with everchanging standards, to suit the day to day needs of the witch hunters. Under such conditions only absolute conformity can guarantee the safety of a scientist . . . it is for each of us to conform, or be labeled a traitor."

TRANSFER CAMPAIGN: Sobell's birthday also launched a campaign by the Committee to Secure Justice in the Rosenberg-Sobell Case to get Sobell transferred from Alcatraz, where he has been since Thanksgiving Day, 1952. The Attorney General's office "violated all legal and moral precedent" by placing Sobell there, the committee charged.

Sobell had no police record—not even a traffic ticket—before he was sentenced to 30 years. At Alcatraz Sobell, a brilliant electrical engineer who gave up a fellowship to work for the government during World War II, does maintenance work on prison machinery. He is doing advanced study on electromagnetic theory. While he may receive no newspapers, said Mrs. Sobell, and she cannot send him any study material, he is able to order some scientific books from publishers.

PETITIONS READY: Children are not permitted to visit (Sobell's little son has not seen his father since Nov., 1952), and prisoners may see guests only through a tiny pane in a steel wall.

Sobell was placed in Alcatraz "in a vindictive attempt to force a false confession," says the Rosenberg-Sobell Comm. (1050 6th Av., N. Y. C. 18) which is circulating petitions to have him transferred to a regular federal institution while moves for a new trial are being completed. They urge letters to Prisons Director James V. Bennett, Washington, D. C., and are circulating in pamphlet form an analysis of Sobell's case by British lawyer D. N. Pritt published in the GUARDIAN (3/29, 4/5).

Between May 10 and June 20, which the committee has designated as the official memorial period for Ethel and Julius Rosenberg, a delegation to Bennett is being planned.

Meanwhile, Mrs. Sobell has received many letters of support from abroad.

BRITAIN'S SOUL SAVED?

GIs 'Go Home' cry hits Billy Graham

TO wind up the London chapter of a three-month campaign with Washington's blessing to save British souls, U. S. evangelist Billy Graham last week said he had taken both of London's largest stadiums—Wembley and White City—for final services May 22. Combined capacity of the stadiums is 170,000.

Graham's crusade has drawn tremendous crowds but British feelings about him have been mixed. Secy. Hill of the Boilermakers Society wrote in his union's March bulletin:

> "Now Billy is here he might pay a visit to some of the towns and villages in East Anglia. While there he might persuade American troops to stop littering our countryside with illegitimate children."

A Graham "team" member replied:

> "Not all our men are exactly the best ambassadors—but then, soldiers never are."

"TRAGICALLY TRUE": The British pacifist weekly **Peace News** commented:

> "The answer is tragically true. Soldiers . . . are trained for the work of making war. . . . These Americans are segregated in camps, perhaps for years, in places far from their own country, their homes, wives, children and friends. . . . If instead of railing against the behavior of men enduring a totally unnatural environment far from home; if, instead of expecting them to behave like monks under vows, these indignant voices could be raised against the great wrong that is being done to men and women and children by the very fact of war preparation . . . it would be more worth while than the greatest of evangelical campaigns.
>
> "It is extraordinary that a man [Graham] should come to a country with such a lavishly advertised program, to preach the gospel of love, and of obedience to love, and say nothing whatever of war and its relation to that gospel."

Peace News asked Graham—whom **Reuters** (4/6) described as "keeping one eye on the front pages of the papers and another on the Scriptures"—to reply to four specific questions on his position about peace. Graham ducked, but when scare-headlines reported the H-bomb tests he "comforted the congregation," said **Reuters**, with:

> "If there is ever an hour when we need to turn to God, it is now. The problems we face have gotten beyond man. Sir Winston Churchill doesn't have the answer, nor Mr. Eisenhower. Only God has the answer."

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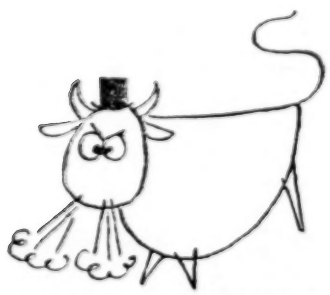
JOE HILL OUTDRAWS HEDDA HOPPER

Businessmen fail to take May Day; 10,000 at N.Y. rally

By Elmer Bendiner

THE May Day slogan of "Free Soda Pop" rallied only a small and subdued group of children to the banners of the businessmen's Fourteenth St. Assn. On upper Fifth Av. a man described as "Paul Revere Joe" called from the sound-truck of the Russian Anti-Communist Center in the Loyalty Day parade: "Wake up, America. The Reds are coming!" Springtime strollers smiled unexcitedly, fed the squirrels scampering out of Central Park.

To drown out the 69-year-old tradition of labor parades, the singing of Joe Hill's songs, the shouting of old union slogans and the timely addition of new anti-war ones, the organizers of "Loyalty Day" had drawn on the city's arsenal of advertising hoopla, big names and TV talent.



GIRLS & HOODLUMS: On upper Fifth Av. the Veterans of Foreign Wars paraded its loyalty past hon. parade chairman Averell Harriman (reportedly a candidate for the Democratic governorship nomination). The march was led by Mayor Wagner and other city officials. Bernard Baruch sat in the reviewing stand, along with a blonde "parade queen" and 10-year-old girl in a cloak billed as "Little Miss Loyalty VFW."

In the parade were more than veterans. There were prancing high-school girls in plumed helmets and shorts, uniformed fife-and-drum corps from parochial schools as far away as Connecticut. These carried no discernible message, left the slogans to some grim young men in uniforms of black trousers, white shirts, black ties who marched under banners of Ukrainian Youth Organizations. (In recent years Ukrainians similarly uniformed have led anti-Semitic outbursts on the Lower East Side.)

THE LOST CHORD: They and small groups of DP's from other parts of the socialist world (some of these in mufti) carried banners with slogans that defied chanting: "We fought and we'll continue to fight for freedom of nations and people." Nobody chanted from the ranks or the sidelines. Nobody raised a union banner.

"WHO DIED?" In Union Sq., where in other years the city's unionists would wind up parades that took 8-10 hours to pass, the Fourteenth St. Assn. tried to hold the fort from 10 a.m. to 6 p.m. The soda-pop lure attracted a few children and some forenoon shoppers who in some surprise watched potato races.

At noon Edwin Franko Goldman and his band played vigorously, to the delight of shoppers who seemed to approve of Saturday band music in public squares; some 1,500 paused to listen. The Dept. of Correction Band, made up of prison guards, took over the music for the presentation of a plaque to FBI Chief J. Edgar Hoover; the chief failed to appear and sent a N.Y. representative.

At the ceremony's climax an elderly lady passed by, looked at the solemn faces on the platform, the little knot of people in the square, and asked: "Who died?"

SCHEDULE EXPIRES: Hedda Hopper, Milton Berle, Phil Silvers, Edgar Bergen, Mortimer Snerd and Judge Jonah Goldstein performed throughout the afternoon. By 4 p.m., with two hours to run on their schedule, the show collapsed, having run out of performers and audience. A truck carted away the bunting and the largest of the loud-speakers. Only some 200 police remained in the square. In the park behind it the usual Saturday afternoon bench-warmers and knots of debaters talked animately about Indo-China, God and the price of cigarets.

Some drunks hanging about predicted trouble "if the communists show up." A reporter asked a policeman: "Expect trouble?" The policeman said: "No, but an ounce of prevention. . . ." The reporter looked

about at the crowds of police, the un-uniformed but recognizable FBI men and plain-clothesmen, remarked: "You've got a couple of pounds here."

THE UNTIED FRONT: Close to 5 p.m. (labor's May Day celebration, restricted to two hours, was set to begin at 6) the park took on a new note. A few VFW members (North Shore Post) in full regalia with wooden pistols in their white holsters were joined by about a dozen others. The commander, a red-faced, heavy-set man who might have been playing soldier since World War I, marched through the park and began calling his forces together, pumping his hand up and down in the infantry signal for rallying men.

His army was hard to corral. They had joined the square's discussion groups, were shouting or flirting and clearly in no condition for combat if that was what the commander had in mind. It took close to half an hour to mobilize the men and by that time the square was filling up. Police guided them gently to the sidelines and they disappeared.

LATE START: May Day began at 6 p.m. when, in answer to the traditional call from the Provisional Committee for the 69th Anniversary of May Day, some 10,000 people filled the square. It was a considerably larger crowd than last year's, and far greater than the all-day attendance drawn by the businessmen. These were not casual passers-by. They carried placards reading "35-Hour Week"; "Support FEPC"; "Joe Must Go"; "Ban H-Bombs"; "Repeal Smith Act"; "Repeal Taft-Hartley"; "No More Koreas in Indo-China"; "18-Year-Olds Must Vote"; "Stop Witch-Hunts—Save Our Schools."

From the platform Howard Fast contrasted the crowd before him with the Loyalty Day paraders uptown. He told of the Chock-Full-O'-Nuts float in that parade and said: "I learned that they meant loyalty to Chock Full O' Nuts."

"DULLES MUST LISTEN": GUARDIAN gen. manager John T. McManus recalled labor's great names, drew cheers at the mention of Elizabeth Gurley Flynn, Paul Robeson, with an eye to Geneva, said: "The world wants peace and Dulles and his cronies will have to listen." When the crowd sang "We Shall Not be Moved," Robeson joined in.

Mrs. Helen Sobell, whose husband is serving 30 years in Alcatraz as a "spy" in the Rosenberg case, spoke while the crowd waved placards demanding: "Free Morton Sobell—Vindicate the Rosenbergs—Protect their Children." Others who spoke were Mrs. Victoria Garvin, secy. of the N.Y. Negro Labor Council; author-publisher Albert Kahn, Jesus Colon, Dr. Doxey Wilkerson of the Jefferson School of Social Science.

NO COCKROACHES: A small contingent from the Russian Anti-Communist Center tried to wedge its way through the crowd and seemed disgruntled when police turned them away. The hoodlums who had waited in the park stayed there.

Elizabeth Gurley Flynn summed up the day's score when she told the cheering thousands that the square, "haloed" in labor's history, would not be surrendered to "cockroach businessmen or peanut politicians."

UNION SQUARE, 6 P.M., MAY 1
Earlier, businessmen had the Square but not the people

RALLY MAY 14

O'Connor, Lamont Emspak speak

HARVEY O'CONNOR, writer under indictment for resisting Sen. McCarthy's efforts to probe his beliefs and associations, will chair a "Stop the Inquisition" meeting called by the Emergency Civil Liberties Comm., Friday, May 14, 8:30 p.m. at the McAlpin Hotel Ballroom, Av. of the Americas and 34th St.

Speakers will include two others who have defied McCarthy—Dr. Corliss Lamont of Columbia Univ., and Julius Emspak, secy.-treas. of the United Electrical Workers; also attorney Royal W. France, who has represented victims before Congressional committees and in the courts.

The committee's address: 421 7th Av. Tickets: $1.

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PUBLIC FORUM

Am-Sov meeting Thurs., May 13

OFFICERS of the Natl. Council of American-Soviet Friendship, which has been summoned for McCarran Act hearings before the Subversive Activities Control Board May 10, will report on the opening days of the hearings at the Council's 11th annual membership meeting May 13. The meeting, from 4:30 to 10:30 p.m. at the Yugoslav Hall (405 W. 41st St., N.Y.C.), will include a public forum and discussion with talks by Dr. Mary van Kleeck on "What Shall We Do About the H-Bomb?" and by Theodore Bayer on "America's Stake in East-West Trade."

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NEW YORK CALENDAR

CONTEMPORARY FORUM
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Six Lectures and Discussions
Lecturer: **DR. BARROWS DUNHAM**
MONDAYS 8 to 9:30 P.M.
May 10
"Man's Freedom and Bondage: Spinoza"
PSYCHOLOGICAL PROBLEMS IN AN AGE OF CRISIS
Six Lectures and Discussions by Prominent Specialists
WEDNESDAYS 8 to 9:30 P.M.
May 12
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DR. IRVING CRAIN
Tuition: $1 per session. 206 W. 15th St., New York City. WA 4-5524.

★ C O M I N G ! ! ! ★
Fri Eve., May 21 — 8:30
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DR. MELBA PHILLIPS (physicist)
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SAVE SOBELL SMORGASBORD — Fri., May 21, 7 p.m., at Hungarian Hall, 2141 Southern Blvd. (bet. 181-182 Sts.). Entertainment by Lillian Goodman, dancing. Auspices: Bronx Rosenberg-Sobell Committee.

You are cordially invited to the **SPRING EXHIBITION** of paintings, sculpture, drawings by members of the Art Division, A. S. P. Opening Sun., May 9, 3-6 p.m. Refreshments. Daily May 10 thru May 28, 2-8 p.m.

Come to the 6th and final **EVENING OF ART CRITICISM** conducted by RAFAEL SOYER, noted painter and teacher. Bring your original works for criticism and participate in discussion. Fri., May 14, 8:30 p.m. ASP Gallery, 35 W. 64th St. Adm: 50c.

FILM DIVISION PARTY, Sat., May 8, 9 p.m. A program of inimitable humor with a well-known star. Refreshments, social at ASP, 35 W. 64th St. Contribution: $1.

YOUR LAST WEEK-END TO SEE 3rd Annual A.V.P. Art Show. ENJOY OPEN HOUSE—Fri., May 7—5-9 p.m. Free Buffet. Exciting Paintings and Art Work.
CELEBRATE V-E DAY WITH ARTISTS & FRIENDS, SAT., MAY 8, 1 p.m. to ?. Listen to unusual tape recordings of southern folk music made by an authority. SUN., MAY 9—CLOSING DAY, 1-5 p.m. Awards to artists, 77 5th Av. (15th St.) Contribution.

GUARDIAN NIGHT IN THE VILLAGE. Editor Cedric Belfrage will be guest of honor at the Van Franks, 5 St. Lukes Place, Sat. night, May 15, 8:30 p.m. Entertainment. Refreshments. Cont. $1.

Lecture: **"THE ECONOMIC REASONS FOR McCARTHYISM."** Speaker: James Dall. Fri., May 14, 8 p.m., 116 University Pl. (near Union Sq.) Cont. 25c. Auspices: Socialist Workers Party.

"THE SLUMP IN U. S. ECONOMY." Speaker: Harry Braverman. How bad is the recession and what are the prospects? Keynesian "solutions" analyzed from the point of view of Marxism. Fri., May 14, 8 p.m. 863 Broadway (17th St.) Auspices: American Socialist. Cont. 35c.

FOLK Ent'ment, Sat., May 15, 8:30
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Al Wood **Jack Elliot**
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U. S. A. — 1954 . . . Report by
LEO HUBERMAN—"The Repression"
SCOTT NEARING—"The Resistance"
PAUL M. SWEEZY—"The Economy"
Chairman:
PROF. HENRY PRATT FAIRCHILD
Date: Thurs., May 20, 8:30 p.m. sharp. Place: Capitol Hotel, 8th Av. at 51st St. Admission: In advance, $1; at door, $1.25. Write or phone for tickets to:
MONTHLY REVIEW ASSOCIATES
66 Barrow St. OR 5-6939

Listings in the Calendar and Classified section are available at 40c a line (five words): minimum charge $2 per insertion.
Copy deadline Tuesday before publication. Please send payment with copy. Address: Classified, National Guardian, 17 Murray St., N. Y. 7.

SPRING FEVER PARTY. Have fun with the Youth Committee of Greenwich Village American Labor Party. This Sat. night, May 8, at 5 Jones St. Entertainment, refreshments, dancing. Contribution: $1.

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3 PUERTO RICANS AND A MURDER IN NEW YORK—II

Court ruling on juries brings hope to youths in death house

LAST week Chief Justice Earl Warren wrote as the unanimous opinion of the U.S. Supreme Court:

"The exclusion of otherwise eligible persons from jury service solely because of their ancestry or national origin is discrimination prohibited by the 14th Amendment."

The court thereby reversed the conviction of Pete Hernandez whom the Texas courts had convicted of murder. The decision brought hope not only to Texas but to Sing Sing's death house, where three Puerto Ricans, Concepcion Estrada Correa, 17; Henry Matthews, 17; and Pedro Antonio Rios, 22, stand convicted of murder. (See below, this page.)

BLUE-RIBBON VERDICT: The court found that Texas had systematically barred Mexican-Americans from the jury panel that tried Hernandez. The N.Y. jury panel that tried the three Puerto Rican youths was "blue ribbon"—carefully selected for "respectability." No Puerto Rican served on the jury that not only convicted the three, but by refusing to recommend clemency made the death sentence mandatory.

The Texas courts in the Hernandez case had held that the 14th Amendment was a guarantee only to Negroes. Chief Justice Warren said the amendment was not based on a "two-class theory." The broader interpretation opened the way for an assertion of Mexican-American and Puerto Rican rights.

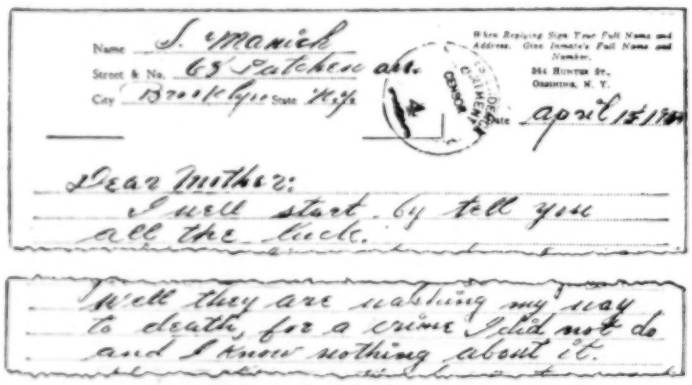
COMPATRIOTS MOVE: The N.Y. case has stirred Puerto Rican leaders. The annual assembly of the General Confedn. of Puerto Ricans in N.Y. set up a committee to work for a new trial, appeal the death sentence or, if all else fails, seek commutation.

On the committee are Assemblyman Felipe Torres (Bronx 5th AD-Dem.), and Oscar Gonzalez Suarez. In San Juan, Gov. Luis Munoz Marin wired Gov. Dewey a plea to commute Estrada's sentence.

THE FAMILY: The story seemed less a "case" and more a personal tragedy in the neat little apartment above a candy store at 65 Patchen Place, Brooklyn, where Mrs. Maria Pires, half-sister of the oldest of the Puerto Rican three, Pedro Antonio Rios, talked about her brother, her mother and the trial.

While she talked, her 10-year-old daughter Jane bounced up and down on the sofa and interrupted to tell how she had played hookey from choir practice at the nearby Lutheran church. (Mrs. Pires, a handsome woman, not much older than her condemned brother, also sings in the choir.) Mr. Pires tinkered with the television.

Mrs. Pires spoke fondly of Pedro Antonio: "He was always laughing. . . . He loved to dance." The family came from Fajardo, in the eastern tip of Puerto Rico. There were three sisters; Pedro Antonio was the only boy and the youngest of the family. "There were others," Mrs. Pires explained, "but they died." The parents separated when the children were very young. (When news of the tragedy broke, Pedro Antonio's father


Name S. Manich
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City Brooklyn State N.Y.
When Replying Sign Your Full Name and Address. Give Inmate's Full Name and Number.
Sing Sing Prison
Ossining, N. Y.
April 15 1954
Dear Mother:
I will start by tell you all the luck.
Well they are washing my way to death, for a crime I did not do and I know nothing about it.

TO A MOTHER FROM THE DEATH HOUSE
Pedro Antonio Rios, 22, wrote this letter (or had someone in Sing Sing prison write it for him.) In it he told his mother: "They are washing my way to death for a crime I did not do."

turned up in San Juan and pleaded with the papers there to champion his son's case.)

THE QUIET ONE: The mother was a dressmaker and now, at 60, still works in the shops of Fajardo. Mrs. Pires came to New York in 1947 and three years later Pedro Antonio followed. He lived with his sister a while. He was quiet and talked very little. He liked to listen to the radio, to relax, read the comics. His sister said she never knew him to gamble or drink.

In the fall of 1952 he was drafted into the Army and on the eve of his induction he married. What did he think of the Army, Mrs. Pires was asked. "He wanted to get out," she said. He sounded normal. In February, 1953, six months after his induction, the Army discharged him. He was told

(Continued on Page 11)

The crime — and the trial

GUARDIAN (5/3/54) told the story of three young Puerto Rican New Yorkers now in Sing Sing's death house, convicted of murdering an 85-year-old woman last June. Sentence, originally set for May 10, has been stayed pending appeal. They are Concepcion Estrada Correa, 17; Henry Matthews (or Massio), 17; Pedro Antonio Rios, 22.

Never before in N.Y. County has a 17-year-old been sentenced to death. In the trial's opening week last March, Puerto Rican nationalists fired pistols from the visitors' gallery in Congress. Mass round-ups of Puerto Ricans and hysteria-producing headlines made unbiased judgment difficult if not impossible.

The state's case was marred by alleged third-degree methods. One defendant was held incommunicado 42 hours before arraignment; another was kept eight hours without food. The defendants and one of the witnesses said they had been beaten or threatened by police. The state's story hinged on witnesses plainly susceptible to police pressure and contained loopholes and unanswered questions which the GUARDIAN is probing.

One key prosecution witness retracted his testimony, later retracted his retraction. All three defendants were offered a chance to save their lives by pleading guilty to a lesser crime. Knowing they might face death, they insisted on their innocence, still maintain it in the death house.

MAY 15 IN NEWARK

Jersey parley on jobs, trade

A GROUP of New Jersey citizens last week issued a call to an all-day conference "for jobs, trade and peace" to be held at Galilee Baptist Church, 148 Clinton Av., Newark, 10 a.m. to 5 p.m. Saturday, May 15.

Dr. W. E. B. DuBois will keynote the conference in the morning session. A noontime chicken dinner will have as its guests of honor Chungsoon and Choon Cha Kwak, Korean progressives (GUARDIAN, 3/29 reported the deportation threat against them). Group discussions will be led by Albert Kahn ("Young people—their stake in peace"); Dr. Alpheus Hunton (colonialism); William Mandel ("Negotiations as a road to security and peace"). The wind-up session at 4 p.m. will be addressed by Franklin Folsom.

Sponsors include the Rev. Harold E. Clarke of Galilee Baptist Church, Dorothy Eldridge, Rev. J. C. Nelson, Dr. Ulysses Campbell and Katherine van Orden. Registration fees: $1 (25c for students); dinner $1.25 (students, 75c) extra.

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Events for Children

Films

B'KLYN CHILDREN'S MUSEUM, B'klyn Av. & Park Pl. Films at 11 a.m., 2 & 4 p.m. on Sats. Weekdays, Tues-Fri., 4 p.m. except Wed., 3:45 p.m. Free.

B'KLYN MUSEUM, Eastern Parkway & Wash. Av. Travel films & Comedies for children, Sat., 2 p.m. Free.

MUSEUM OF THE CITY OF N.Y., 5th Av. & 103d St. The Locomotion of Snakes & World of Water, 11 a.m. & 3 p.m. Free.

AMER. MUSEUM OF NATURAL HISTORY, Central Pk. W. & 79th St. Hunting Animals of the Past (Chippewa Indians), 4 p.m., Wed., May 12; Seashore Life, 2 p.m., Sat., May 15; Po River, Pompeii & Vesuvius, 4 p.m., Wed., May 19. Free.

N.Y. HISTORICAL SOCIETY, Central Park & 77th St. Andrew Jackson, Daniel Boone & Kentucky Pioneers, 2 p.m., Sat., May 15. Free.

Miscellaneous

HAYDEN PLANETARIUM, Central Park W. & 77th St. Stories in the Stars, lecture-show on myths, legends, heroes, gods in constellations. Weekdays, 2, 3:30, 8:30 p.m.; Sat., 11 a.m., 1, 2, 3, 4, 5 & 8:30 p.m.; Sun., 1-5 & 8:30 p.m. Children: 40c.

Plays

HAMLET, professional off-Broadway prod. by Shakespeare Guild Festival. Sun., May 9 & Wed. thru Sun. eves. & Sat. matinee after May 12. Jan Hus House, 351 E. 74th St., TR 9-7060.

FOLK MOVIES, SONGS, DANCES, Univ. of Calif. Experimental Workshop. Animated cartoons by Al Kouzel about John Henry, Old Dan Tucker, other folk characters; songs by Jack Elliot, Guy Carawan, Al Wood; dances by Adele Motzkin, 8:30 p.m. Sat., May 15, 11 W. 18th St. Cont: $1.

N. Y. murder

(Continued from Page 10)

he didn't know English well enough.

"IF YOU'RE INNOCENT . . .": When he came out he rejoined his wife. For a while, when he was without an apartment or a job, they both lived with the Pires family and he seemed his old self. The marriage didn't work well, though, and Pedro Antonio and his wife agreed to separate.

Most of the time Pedro had a job. In the spring of 1953 he was working at a hat factory, earning close to $35 a week. He never talked about his friends and Mrs. Pires guessed that he must have met Estrada and Matthews shortly before then. At 10 p.m. on a hot summer's night (Mrs. Pires forgets the date) Pedro Antonio came to another sister living in Manhattan, said friends had shown him a newspaper that said police were looking for him in a murder case.

He slept there overnight and at 6 a.m. next day knocked on Mrs. Pires' door. She told him: "If you are innocent the only way is to give yourself up. You cannot hide." He walked to the police station and turned himself in.

THE WAY TO DEATH: Mrs. Pires saw little of the trial, though she was at the court almost daily. On the first day the mother of Henry Matthews cried almost hysterically. Thereafter Judge Jonah Goldstein barred all relatives from the courtroom; Mrs. Pires said not even her friends could go in: "They allowed no Spanish people in."

Her mother came up for the trial but could not get in. Before Pedro Antonio went to Sing Sing she saw him through a screen and they could scarcely find words to say to each other, Mrs. Pires said.

Two weeks ago Pedro Antonio Rios wrote to his mother: "They are washing my way to death for a crime I did not do."

GUARDIAN had one more question of Mrs. Pires: Why did Pedro Antonio come to the States? She said: "In Puerto Rico he worked all week for $10 a week. . . . As a secretary I earned only $12."

THIRD ANNUAL CONCERT • SATURDAY EVE., MAY 22

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Auspices: Emergency Civil Liberties Committee

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THURS., MAY 13, 8:30 p.m.

FORUM

on decisive issues of War & Peace

WHAT SHALL WE DO ABOUT THE H-BOMB?

Dr. Mary Van Kleeck

AMERICA'S STAKE IN EAST-WEST TRADE

Mr. Theodore Bayer

YUGOSLAV AMERICAN HOME

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Ausp.: Natl. Council of Amer.-Soviet Friendship

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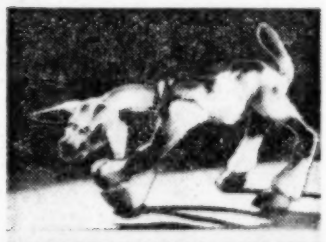

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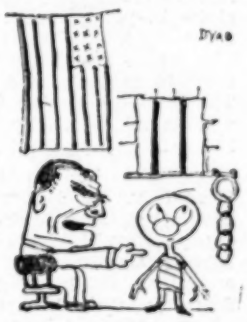
the SPECTATOR

The valley needs re-forging

OUT OF HISTORIC VALLEY FORGE the Freedoms Foundation operates a wholesale—if non-profit making—business of distributing awards to those who, according to FF standards, help "further an understanding of the American way of life." 799 awards for 1953 were presented recently at impressive ceremonies through the country; 103 were distributed last week at Columbia University to such staunch standard-bearers of the American way of life as stool pigeon Herbert A. Philbrick, Herbert Hoover, Gen. MacArthur, Henry C. Lodge Jr., Judge Harold Medina and Cardinal Spellman.

Freedoms Foundation employs the advertising technique of "incentive awards," which is a fancy name for the send-in-a-box-top-and-ten-cents appeal. However, the scope extends far beyond filling in the last line of a limerick or competing to be queen for a day. Everyone who contributes (donations deductible for income tax purposes) may nominate anyone who has written, spoken, photographed or drawn a breath that illustrates the FF brand of patriotism. (Apparently one of the freedoms must be freedom from union printing, unless the union bug on all their literature is printed in invisible ink.)



Drawing by Dyad, London
"Do you believe in a free democratic recession or do you not? Next prisoner!"

Eighteen $1,000 awards, lesser cash prizes, scholarship aid, trips, libraries, medals and certificates of merit are handed out for editorials, cartoons, articles, essays, television and radio programs, advertising campaigns, company employe programs, campus and school writing, letters from armed forces personnel, public addresses and sermons. The rules are strict. In the case of sermons, for instance, the terse instruction states: "Must have been delivered—written script required, with date and place of delivery." No sermons in stones accepted.

THE TRUSTEES of this mass organization which starts from the top down are Edward F. Hutton, New York broker; Charles M. White, president of Republic Steel, and Fred Maytag II, president of the Maytag Co. (makers of brainwashing machines?). Misplaced and lonely, the name of Jackie Robinson appears on the roster of directors, between NAManufacturer H. W. Prentis Jr. and Ginger Rogers. (Ginger's mother, Mrs. Leia Rogers, will be remembered for her statement on Town Meeting of the Air, in 1947, on the subject "Is There Really a Communist Threat in Hollywood?" She said: "How long has it been since you have seen on the screen an industrialist, a banker, a judge, shown as anything else than a stinker?")

Here and there a sop to virtue is thrown, like the award to Edward R. Murrow for his TV show which helped reinstate Lt. Radulovich in the Army. More typical, however, is the top award to Sen. Karl E. Mundt—Joe McCarthy's Charlie McCarthy—for the best magazine article, and to Coca-Cola's Jim Farley for the best public address. In lesser categories fine words are acceptable provided they are general enough to glitter without making anyone blink.

FREEDOMS FOUNDATON has some excellent words of its own to say about what constitutes the American way of life: "Right to free speech and press" . . . "No excessive bail" . . . "Innocent till proved guilty" . . . "Right to move about freely at home and abroad." If the awards jury will honor these tenets equally with some of the other FF shibboleths such as the "right to engage in business, compete, and make a profit," then we have a nomination for 1954. It is the little four-page folder sent out this month by the New York Telephone Co. along with the bills. In a piece about Tom Paine, he is acclaimed as the author of **Common Sense** and **The Crisis**, and hailed as "one of the giants of the American Revolution" and "a fearless Champion of Freedom." Furthermore, it is pointed out that at the end of the Revolutionary War, he was the recipient of two awards for his patriotism. Congress voted him $3,000, and the N. Y. State Legislature gave him a 300-acre farm in New Rochelle.

Would Freedoms Foundation of Valley Forge recommend that for Tom Paine today?

So. California arts festival on

SO. CALIFORNIA's Third Annual Festival of the Arts, based on the John Donne theme "No man is an island," opened May 7 and will run to May 23 at the First Unitarian Church, Los Angeles. An art exhibit will feature works by over 100 S. Calif. painters in addition to sculptors, ceramists and photographers. Some of the special evening attractions from May 13 on (check with Alyce Alexander, 3350 San Marino #102, L. A. 6; DU 4-4612):

May 13: Art films on Matisse etc. (free).

May 14: Forum—Princeton political science prof. Hugh H. Wilson on "The Dilemma of the Obsolete Man" ($1).

May 15 and 23: Intl. dance festival with Bella Lewitzky troupe, Benjamin Zemach L. A. group, Tokuyae Hanayagi, Russian dancers ($1.50).

May 16: UCLA art prof. Carl With: "Survey of Contemporary Art" (50c). Drama evening with Jeff Corey and Ann Revere, introduced by Dalton Trumbo: scenes from Aristophanes, Shakespeare, Moliere, Fielding, Shaw, O'Casey, Langston Hughes ($1.50).